

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **FAX RECEIVED**

In re Application of: SUN et al.

APR 24 2003

Serial No.: 10/054,935

Examiner: Susan Ungar, Ph.D.

**GROUP 1600**

Filed: January 25, 2002

Group Art Unit: 1642

For: **Breast Cancer Transcription Factor Gene and Uses****OFFICIAL****NOTICE OF INSUFFICIENT FILING FEES**

The attached notice states that insufficient filing fees were submitted for the above-identified application. However, as shown in the copy of the "Fee Transmittal" letter which accompanied the application, the correct fees were paid, and moreover, authorization was given to charge any additional fees to the deposit account.

The Commissioner is hereby authorized to charge any additional fees to Deposit Account 501761, including the fee of \$63 alleged not to have been submitted previously.

Respectfully submitted,

By: 

Richard M. Lebovitz (Reg. No. 37,067)  
OriGene Technologies, Inc.  
6 Taft Court, Suite 100  
Rockville, MD 20850

Filed: April 23, 2003

Docket: 16U 107 R1

## CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being  
facsimile transmitted to the U.S. Patent and  
Trademark Office (Fax No. (703) 308-4242)

on 23 April 2003  
(Date)

  
(Signature)

Richard Lebovitz  
(Name)

TOTAL PAGES: 1

ACTUAL MAILER	FILING DATE	PRINT NAMED APPLICANT	ATTY. DOCKET
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EXAMINER

ART UNIT PAPER MAIL

DATE MAILED:

## NOTICE OF INSUFFICIENT FILING FEES

APPLICANT IS GIVEN 30 DAYS FROM THE DATE OF MAILING OF THIS NOTICE WITH WHICH TO SUBMIT THE BALANCE DUE. Extension of this 30 day period under CFR 1.136(a) will not be permitted. Failure to respond within this period will result in the application becoming abandoned. 35 U.S.C. 133.

The filing fees submitted in connection with this application are insufficient. See the attached Patent Application-Fee Determination Rec (Form PTO-875). The balance due for additional claims and/or multiple dependent claims is summarized below:

☐ A. Filing Fees due upon filing the application

Total Filing Fees Due	= \$	<u>433.00</u>
Less Filing Fees Submitted	= \$	<u>( 370.00 )</u>
BALANCE DUE	= \$	<u>63.00</u>

☐ B. Fees due in connection with the amendment filed on \_\_\_\_\_

Total Fees Due	= \$	_____
Less Fees Submitted	= \$	<u>( _____ )</u>
BALANCE DUE	= \$	_____

ATTACHMENT: FORM PTO-875

Clerk of Group

APPLICANT: PLEASE COMPLETE THIS PORTION AND RETURN THIS NOTICE WITH PAYH  
 Fee submitted \$ \_\_\_\_\_ Signature \_\_\_\_\_

### CERTIFICATE OF MAILING

I hereby certify that this notice and the required additional fee are being deposited with the U.S. POSTAL SERVICE as first class mail in an envelope addressed to  
 Commissioner of Patents and Trademarks, Washington, D.C. 20514, on (date) \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

PTOL-319 (Rev. 7-92)

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**FEE TRANSMITTAL**  
**for FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 433.00)

**Complete if Known**

Application Number

Filing Date

First Named Inventor

Sun et al.

Examiner Name

Group Art Unit

Attorney Docket No.

16U 107 RI

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

501761

Deposit  
Account  
Name

OriGene Technologies, Inc.

- ☒
- Charge Any Additional Fee Required
- 
- Under 37 CFR 1.16 and 1.17

- ☒
- Applicant claims small entity status.
- 
- See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money  
Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$)

101 710 201 355 Utility filing fee

106 320 206 160 Design filing fee

107 490 207 245 Plant filing fee

108 710 208 355 Reissue filing fee

114 150 214 75 Provisional filing fee

Fee Paid

370

SUBTOTAL (1) (\$ 370)

**2. EXTRA CLAIM FEES**

Total Claims	27	-20** =	7	X	Fee from below	9	=	Fee Paid	63
Independent Claims	3	-3** =		X			=		
Multiple Dependent				X			=		

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$)

103 18 203 9 Claims in excess of 20

102 80 202 40 Independent claims in excess of 3

104 270 204 135 Multiple dependent claim, if not paid

109 80 209 40 \*\* Reissue independent claims over original patent

110 18 210 9 \*\* Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 63)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Fee Code	Large Entity (\$)	Small Entity (\$)	Fee Code	Large Entity (\$)	Small Entity (\$)	Fee Description	Fee Paid
105	130	205	65			Surcharge - late filing fee or oath	
127	50	227	25			Surcharge - late provisional filing fee or cover sheet	
139	130	139	130			Non-English specification	
147	2,520	147	2,520			For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*			Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*			Requesting publication of SIR after Examiner action	
115	110	215	55			Extension for reply within first month	
116	390	216	195			Extension for reply within second month	
117	890	217	445			Extension for reply within third month	
118	1,390	218	695			Extension for reply within fourth month	
128	1,890	228	945			Extension for reply within fifth month	
119	310	219	155			Notice of Appeal	
120	310	220	155			Filing a brief in support of an appeal	
121	270	221	135			Request for oral hearing	
138	1,510	138	1,510			Petition to institute a public use proceeding	
140	110	240	55			Petition to revive - unavoidable	
141	1,240	241	620			Petition to revive - unintentional	
142	1,240	242	620			Utility issue fee (or reissue)	
143	440	243	220			Design issue fee	
144	600	244	300			Plant issue fee	
122	130	122	130			Petitions to the Commissioner	
123	50	123	50			Processing fee under 37 CFR 1.17(a)	
126	180	126	180			Submission of Information Disclosure Stmt	
581	40	581	40			Recording each patent assignment per property (times number of properties)	
146	710	246	355			Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355			For each additional invention to be examined (37 CFR § 1.129(b))	
178	710	279	355			Request for Continued Examination (RCE)	
169	900	169	900			Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

**SUBMITTED BY**

Name (Print/Type)

Richard M. Lebovitz

Registration No.  
(Attorney/Agent)

37,067

**Complete (if applicable)**

Telephone

240-620-0268

Signature

Date

January 25, 2002

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.